

Message Text

PAGE 01 STATE 090976
ORIGIN NEA-10

INFO OCT-01 AF-10 EUR-12 IO-14 ISO-00 PA-02 H-02
SSM-05 SIG-03 SS-15 SP-02 PM-05 INR-10 INRE-00
NSAE-00 L-03 SSO-00 ACDA-12 OMB-01 AID-05 /112 R

DRAFTED BY NEA/P:WBHARRIS:RGH
APPROVED BY NEA/P:GFSHERMAN
PA/PRS - MR. CARTER
H - MR. FLATEN
SSM - MR. MC ANDREW
NEA/IAI - MR. SMITH
NEA/ARP - MR. TWINAM
NEA/EGY - MR. NEWBERRY
NEA/ARN - MR. DRAPER

-----052834 080421Z /64

O 080232Z APR 78
FM SECSTATE WASHDC
TO AMEMBASSY AMMAN IMMEDIATE
AMEMBASSY BEIRUT IMMEDIATE
AMEMBASSY CAIRO IMMEDIATE
AMEMBASSY DAMASCUS IMMEDIATE
AMCONSUL JERUSALEM IMMEDIATE
AMEMBASSY JIDDA IMMEDIATE
AMEMBASSY TEL AVIV IMMEDIATE
AMEMBASSY MANAMA
AMEMBASSY RABAT
AMEMBASSY SANA
AMEMBASSY TEHRAN
AMEMBASSY TRIPOLI
AMEMBASSY TUNIS
USMISSION SINAI
AMCONSUL DHAHRAN
USMISSION GENEVA
AMEMBASSY KHARTOUM
AMEMBASSY LONDON
AMCONSUL ALEXANDRIA
UNCLASSIFIED

PAGE 02 STATE 090976

AMEMBASSY MOSCOW
USMISSION USNATO
AMEMBASSY PARIS
AMEMBASSY ROME
USMISSION USUN NEW YORK
AMEMBASSY ABU DHABI
AMEMBASSY ALGIERS
USINT BAGHDAD
AMEMBASSY DOHA
AMEMBASSY KUWAIT

USCINCEUR
JCS WASHDC 0000
CIA WASHDC 0000
DOD
NSC WASHDC 0000
USICA

UNCLAS STATE 090976

CINCEUR FOR POLAD, TEL AVIV FOR PAO, DELIVER BY 9 A.M.

E.O. 11652: N/A

TAGS: PFOR

SUBJECT: DEPARTMENT PRESS BRIEFING - APRIL 7

1. FOR YOUR INFORMATION AND GUIDANCE FOLLOWING ARE
EXCERPTS FROM DEPARTMENT PRESS BRIEFING FOR APRIL 7, 1978.
FYI ONLY SPOKESMAN TODAY WAS HODDING CARTER III.

Q. COULD THE ISRAELIS HAVE USED CBU'S IN SOUTHERN
LEBANON WITHOUT HAVING VIOLATED ANY SPECIFIC UNDERSTANDING
UNCLASSIFIED

PAGE 03 STATE 090976

WITH THE UNITED STATES? THERE WAS A STORY ON THE NEWS
LAST NIGHT AND PICTURES.

A. I DONT KNOW, TECHNICALLY, BUT I WILL TAKE THAT --
WHETHER THAT WOULD BE A TECHNICAL VIOLATION. I DONT KNOW
EVEN IF THE CONTEXT OF THE STORY SUGGESTING WHETHER THEY
WERE IN FACT CBU'S, OR WHETHER THERE WAS A VIOLATION.

Q. IS THERE A YARDSTICK FOR MEASURING VIOLATIONS ON THE
USE OF AMERICAN MILITARY EQUIPMENT?

A. LET ME SEE IF I HAVE SOMETHING THAT IS REALLY A
SIMPLE LEGAL FORMULA. I DO NOT BELIEVE I HAVE A SIMPLE
LEGAL FORMULA. I THINK THAT IT IS COMPLEX. THE REQUIRE-

MENTS OF THE ACT CALL UPON US TO REPORT TO CONGRESS IF A
VIOLATION OF THE PARTICULAR MILITARY SUPPLY AGREEMENT
AND THE, AS IT IS IN THE ACT, "MAY HAVE OCCURRED."
THEREFORE THE LANGUAGE IS QUOTED BACK WHEN YOU REPORT TO
CONGRESS.

THERE ARE OBVIOUSLY SOME FAIRLY COMPLEX QUESTIONS AS TO
UNDER WHAT CIRCUMSTANCES AND TO WHAT EXTENT A GIVEN NATION
CAN USE ARMED FORCE IN THE TERRITORY OF ANOTHER STATE
WHICH DOES NOT CONTROL NECESSARILY THE ACTIVITIES OF
HOSTILE GROUPS THAT ARE LOCATED THERE.

BUT ON THE OVERALL ASSESSMENT BY OUR LEGAL DEPARTMENT, AMONG OTHERS, THE DECISION WAS TAKEN THAT THE ISRAELI OPERATIONS IN SOUTHERN LEBANON, AND LEBANON GENERALLY, INDICATED THAT A REPORT UNDER THAT SECTION WAS CALLED FOR.

I DONT THINK THAT THERE IS A SIMPLE A THRU Z LIST OF CATEGORIES THAT YOU CAN FIT EVERYTHING PRECISELY INTO. BUT I AM NOT THE LEGAL EXPERT ON IT.
UNCLASSIFIED

PAGE 04 STATE 090976

Q. YOU ARE NOT THEN OBLIGED TO DEFINE WHAT THE VIOLATION MIGHT HAVE BEEN.

A. I DONT KNOW. I DONT WANT TO FEEL AROUND.

Q. WELL, COULD YOU FIND OUT?

A. YES, BECAUSE HERE I WOULD HAVE TO GO BACK TO WHAT IN FACT THE SECRETARY HAS SAID.

Q. YESTERDAY.

A. YES, AND HIS TESTIMONY ON THE TURKISH QUESTION, AND I DONT HAVE THAT IN FRONT OF ME. BUT WE OBVIOUSLY FOUND THAT BOTH THE EXTENT OF THE PENETRATION AND THE USE BEYOND THE IMMEDIATE FRONT OF THE PENETRATION, I.E., PLANES OUTSIDE THAT IMMEDIATE PERIMETER, AFFECTED OUR JUDGMENT THAT A VIOLATION -- QUOTE -- MAY HAVE OCCURRED. THOSE ARE TWO NOTATIONS THAT I KNOW THE SECRETARY MADE.

Q. DO YOU KNOW WHETHER THE LAW GAVE THE PRESIDENT THE DISCRETIONARY POWER NOT TO ACT ANY FURTHER AS WAS DONE IN THIS CASE?

A. YOU MEAN NOT TO REPORT TO CONGRESS?

Q. NO, NOT TO TAKE ACTION AFTER REPORTING. DOES HE HAVE THE POWER UNDER THE LAW TO DO THAT?

A. I DONT KNOW. I WILL TAKE THE QUESTION. I DONT KNOW WHAT DISCRETION HE HAS.

UNCLASSIFIED

PAGE 05 STATE 090976

Q. WHAT IS THE TIME-FRAME WITHIN WHICH THE ADMINISTRATION HAS TO RESPOND? I SEEM TO RECALL, AND I REALIZE THERE HAS BEEN NEW LEGISLATION SINCE THEN, BUT I SEEM TO RECALL THAT IN THE TURKISH CASE, THE STATE DEPARTMENT MANAGED TO PROTRACT ITS FINDINGS FOR A NUMBER OF WEEKS, WHEREAS IN

THIS INSTANCE THERE WAS A CERTAIN AMOUNT OF EXPEDITIOUSNESS.

Q. THERE HAVE BEEN OTHER INSTANCES, OF COURSE, SINCE THE TURKISH INCIDENT. I DONT KNOW WHAT THE TIME-FRAME IS. I DONT KNOW IF THERE IS A SPECIFIED ONE. I SIMPLY DONT KNOW THAT.

Q. WOULD YOU TAKE THAT QUESTION, PLEASE?

A. THE WORD "PROMPT" IS USED, BUT THE SPOKESMAN HAS USED THAT BEFORE IN EXPLAINING WHAT THE REQUIREMENT IS.

Q. THAT LAW WAS WRITTEN AFTER THE TURKISH INCIDENT.

A. I KNOW IT WAS, BUT HE IS ASKING WHETHER IT NOW INCLUDES SOMETHING, AND I DONT KNOW.

Q. SINCE THE SECRETARY INDICATED THAT THE ADMINISTRATION DOESNT PLAN TO TAKE ANY ACTION AS A RESULT OF THIS FINDING, WHAT WAS THE POINT OF THE LETTER? WHAT WERE YOU TRYING TO SAY?

A. I THINK WE WERE TRYING TO SAY THAT A VIOLATION MAY HAVE OCCURRED, AND BEYOND THAT THAT WE WERE REPLYING TO A QUESTION ALSO BY CONGRESS, AND WHETHER IT WAS OUR FINDING THAT SUCH A THING HAD OCCURRED.

Q. ARE YOU TRYING TO MAKE A SPECIAL POINT TO THE ISRAELIS?

UNCLASSIFIED

PAGE 06 STATE 090976

A. NO. I THINK WE ARE TRYING TO MAKE A POINT IN COMPLIANCE WITH THE LAWS REQUESTED BY SOME CONGRESSMEN.

Q. WOULD YOU HAVE BEEN ALLOWED UNDER THIS? INSTEAD OF SAYING, "IT MAY HAVE OCCURRED," TO SAY THAT IT DID OCCUR. THE SECRETARY COULD HAVE WRITTEN THAT. THERE IS

NOTHING THAT FORBIDS THE SECRETARY DOING THAT.

A. I UNDERSTAND THAT, BUT I HAVE A FEELING THAT WHEN IN DOUBT, USE THE LANGUAGE OF THE ACT AS TO THE PROPER WAY TO WRITE A LETTER.

Q. YOU MEAN YOU ARE IN DOUBT?

A. NO, NO. "WHEN IN DOUBT" IS A PROPER WAY TO PHRASE SOMETHING. IT IS WISE TO GO BY THE LANGUAGE OF CONGRESSIONAL ACTION.

Q. ALL KINDS OF SUGGESTIONS ARE MADE HERE. I MEAN,

IS THE VIOLATION THE MERE USE OF THE ARMS, THE TARGETS,
THE PENETRATION?

A. THERE IS AN ENTIRE SPECTRUM OF POSSIBILITIES HERE
AND WE HAVE NOTED IN THE PAST THAT THERE ARE SOME
OCCASIONS IN WHICH IT IS POSSIBLE TO USE THOSE ARMS, AND
WE HAVE GONE THROUGH THIS WHOLE LITANY BEFORE.

WHAT I AM SAYING IS THAT THE FACTORS THAT CAME IN HERE
WERE TO SOME EXTENT NOTED VERY BRIEFLY BY THE SECRETARY
YESTERDAY -- DURATION, PENETRATION, BEYOND THE QUESTION
OF THE IMMEDIATE FIGHTING FRONT, ANY NUMBER OF FACTORS
WHICH ALL ADD UP TO THIS DETERMINATION THAT A VIOLATION
UNCLASSIFIED

PAGE 07 STATE 090976

MAY HAVE OCCURRED.

Q. IF YOU DONT DEFINE THE VIOLATION THAT MAY HAVE
OCCURRED, OR MAY NOT HAVE OCCURRED, HOW CAN A RECIPIENT
COUNTRY AVOID VIOLATING THE LAW IF IT DOESN'T KNOW
EXACTLY WHAT IT IS ALL ABOUT?

A. YOU UNDERSTAND, OF COURSE, THAT THE INITIAL STIPULA-
TION IS THAT THE WEAPONS ARE NOT TO BE USED ACROSS A
FRONTIER WITHOUT OUR PERMISSION. THE NEXT QUESTION IS
WHETHER AND WHEN THEY ARE SO USED, THEY IN FACT GO
BEYOND WHAT IS GRANTED AS BEING A POSSIBILITY FOR THEIR
USE, WHICH IS A RESPONSE UNDER CERTAIN CIRCUMSTANCES WHICH
WE ALL KNOW. AND I AM SAYING THAT IT IS FAIRLY CLEAR
WHAT DOES OR DOESN'T CONSTITUTE AN ADEQUATE RESPONSE,
THAT IS TO SAY, AN EXCESSIVE RESPONSE ON THE USE OF OUR
WEAPONS UNDER THESE TERMS.

LET ME ASK YOU A QUESTION IN RETURN. ARE YOU SUGGEST-
ING TO ME THAT THERE IS SOME DOUBT IN THE RECIPIENT
NATION'S MIND IN THIS CASE ABOUT WHAT THE RESTRICTIONS
ARE?

Q. I DONT REPRESENT THE RECIPIENT NATION.

A. I UNDERSTAND THAT, BUT YOU ARE ASKING ME WHAT IS,
AFTER ALL, A FAIRLY, I WOULD SAY, HORTATORY QUESTION.
AND I AM SAYING TO YOU THAT WE HAVE AT LEAST ENOUGH
CONVERSATION WITH THE RECIPIENT NATIONS. THEY UNDER-
STAND WHAT IS AND IS NOT PERMISSIBLE IN THE USE OF
THESE WEAPONS.

Q. YOU SAID THAT THEY MUST HAVE PERMISSION TO CROSS A
FRONTIER. DID THEY?

A. NO. I SAID THERE ARE ALSO SOME CONDITIONS UNDER
UNCLASSIFIED

PAGE 08 STATE 090976

WHICH IT IS OBVIOUSLY ACCEPTABLE THAT AMERICAN ARMS CAN BE USED, AND WE HAVE GONE THROUGH THIS BEFORE, INCLUDING HOT PURSUIT.

Q. IS THERE ANY OTHER?

A. WE HAVE SAID THAT SELF-DEFENSE UNDER THE TERMS OF THE ACT OF OUR AGREEMENT WITH ISRAEL OF '52, SELF-DEFENSE IS A FACTOR WHICH WE SAID COULD BE USED -- THESE WEAPONS COULD BE USED. AND IT IS UNDER THE TERMS OF WHATEVER AGREEMENT WE HAVE THAT THE QUESTION OF VIOLATION OCCURS. THAT IS, AND IN THIS CASE, OUR AGREEMENT OF '52.

Q. IS THIS THE FIRST TIME THAT SUCH A FINDING HAS BEEN MADE UNDER THIS ACT; REGARDING AMERICAN WEAPONS TO ISRAEL?

A. YES, I BELIEVE IT IS.

Q. (UNINTELLIGIBLE)

A. I DONT KNOW. IN SEPTEMBER OF LAST YEAR? DID I ANNOUNCE ONE? I RECALL RESTON HAD TO STAND UP HERE FOR IT SEEMED TO ME TEN DAYS AND NEVER COME UP WITH A FINDING.

Q. MY RECOLLECTION IS THAT THE LETTER WAS SENT TO THE CONGRESS AND IT WAS NOT MADE PUBLIC, AS IS ALLOWED.

A. I AM JUST SIMPLY NOT AWARE.

Q. DOES THE ISRAELI PRESENCE IN SOUTH LEBANON CONFORM WITH THE AMERICAN SUPPORT AND COMMITMENT TO THE SECURITY UNCLASSIFIED

PAGE 09 STATE 090976

OF LEBANON AND ITS INDEPENDENCE?

A. NOW, LOOK, YOU KNOW WHAT OUR POSITION IS, AND IT'S VERY CLEAR. YOU KNOW THAT OUR CONCERN IS FOR THE INTEGRITY OF LEBANON, THE SECURITY OF ITS BORDERS. WE HAVE SUPPORTED A SECURITY COUNCIL RESOLUTION, AND SUPPORT WITH OUR DIPLOMACY, THE PROMPT WITHDRAWAL OF ISRAELI FORCES FROM SOUTHERN LEBANON; AND I DONT THINK I NEED TO KEEP SAYING THAT. THAT IS THE POSITION OF THIS GOVERNMENT.

Q. ARE YOU DOING ANYTHING RIGHT NOW IN REGARD TO THE PROMPT WITHDRAWAL FROM SOUTHERN LEBANON?

A. I WOULD JUST SIMPLY NOTE TO YOU ANNOUNCEMENTS THAT HAVE BEEN WORKED OUT THROUGH THE UN WITH THE ISRAELI GOVERNMENT ON WITHDRAWAL. WE OBVIOUSLY WELCOME PROGRESS ALONG THAT LINE AND WE HOPE THAT ITS GOING TO CONTINUE AT A RAPID PACE. THIS IS THE BEST I CAN OFFER YOU ON THAT.

Q. SO LONG AS THERE IS NO PROMPT WITHDRAWAL, DOES THE VIOLATION CONTINUE TO OCCUR?

A. IT IS OUR UNDERSTANDING THAT IN FACT THE ISRAELIS HAVE ASSURED US, THEY HAVE TOLD THE UN, AND THEY ARE PROCEEDING WITH WITHDRAWAL. THERE QUESTION, THEREFORE, DOESNT ARISE. I DONT HAVE TO MAKE A FINDING ALONG THAT LINE. WE HAVE ESTABLISHED TO OUR SATISFACTION THAT THE ISRAELIS INTEND TO AND ARE WORKING OUT DETAILS ON WITHDRAWING FROM SOUTHERN LEBANON; AND I THINK THAT, AS FAR AS WE ARE CONCERNED, IS THE END OF THE REQUIREMENT.

Q. DOES THE LAW CARRY ANY IMPLICATION THAT PENALTIES SHALL BE INCURRED FOR REPEATED VIOLATIONS RATHER THAN FOR SUSTAINED VIOLATION. YOU UNDERSTAND MY POINT THAT UNCLASSIFIED

PAGE 10 STATE 090976

THEY GO IN AND A VIOLATION CEASES AS SOON AS THEY PULL OUT AND THEY CAN GO IT AGAIN.

A. I DO NOT KNOW. I'LL TAKE THAT. I JUST SIMPLY AM NOT AN EXPERT ON THE LAW.

2. ANSWERS TO TAKEN QUESTIONS FOLLOW.

Q. WHAT ARE THE U.S. WEAPONS THAT WERE USED IN THE MARCH 11 PLO RAID IN ISRAEL? WHERE DID THIS EQUIPMENT COME FROM? HOW DID THE PLO GET IT?

A. WE ARE CONTINUING OUR INVESTIGATION INTO THIS MATTER. IN THE NEAR FUTURE, WE EXPECT TO HAVE SOMETHING FOR YOU.

Q. WHEN THE SPOKESMAN SAID "MOST OF THE ITEMS IDENTIFIED TO US BY THE ISRAELIS HAVE NOT BEEN SUPPLIED BY SAUDI ARABIA", DOES THIS IMPLY THAT SOME IN FACT DID COME FROM THE SAUDIS?

A. AS THE SPOKESMAN HAS SAID: WE HAVE NO EVIDENCE THE SAUDIS HAVE TRANSFERRED ANY U.S. ORIGIN MILITARY ITEMS TO THE PALESTINIANS.

Q. WHERE HAVE WE BEEN TALKING TO THE ISRAELIS ABOUT WITHDRAWAL FROM SOUTH LEBANON AND AT WHAT LEVEL HAVE THESE

TALKS BEEN CONDUCTED?

A. IN WASHINGTON AND IN ISRAEL. WE HAVE TALKED TO THE ISRAELI EMBASSY HERE, WITH DEFENSE MINISTER WEIZMAN AND OTHER ISRAELI OFFICIALS.

UNCLASSIFIED

PAGE 11 STATE 090976

Q. WHAT WOULD WE CONSIDER TO BE AN APPROPRIATE TIME FOR THE ISRAELIS TO COMPLETE THEIR WITHDRAWAL?

A. DETAILED DISCUSSIONS BETWEEN GENERAL SIILASVUO AND THE ISRAELIS ON WITHDRAWAL SCHEDULES HAVE BEEN TAKING PLACE.

WE ARE NOT IN A POSITION TO SPECIFY A PRECISE TIMETABLE FOR THE FINAL WITHDRAWAL, BUT CLEARLY IT SHOULD BE WITHOUT UNDUE DELAY.

Q. IS A DAYAN VISIT TO WASHINGTON NOW UNDER REVIEW BY THE U.S. GOVERNMENT?

A. FOREIGN MINISTER DAYAN IS ALWAYS A WELCOME VISITOR HERE BUT WE WOULD NOTE THAT HE HAS ANNOUNCED PUBLICLY THAT HE HAS NO PLANS FOR SUCH A VISIT IN THE NEAR FUTURE.

Q. IS THERE A DATE FOR SENDING THE ARMS PACKAGE TO CONGRESS?

A. AS WE SAID ON APRIL 4, WE EXPECT TO SUBMIT THE PACKAGE TO CONGRESS, AS SOON AS THE SENATE HAS COMPLETED ITS CONSIDERATION OF THE SECOND PANAMA CANAL TREATY. VANCE

UNCLASSIFIED

<< END OF DOCUMENT >>

Message Attributes

Automatic Decaptioning: X
Capture Date: 26 sep 1999
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: TEXT, PRESS CONFERENCES
Control Number: n/a
Copy: SINGLE
Draft Date: 08 apr 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 jan 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978STATE090976
Document Source: ADS
Document Unique ID: 00
Drafter: NEA/P:WBHARRIS:RGH
Enclosure: n/a
Executive Order: N/A
Errors: n/a
Expiration:
Film Number: D780151-1080
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t197804109/baaafjcj.tel
Line Count: 417
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, TEXT ON MICROFILM
Message ID: a236bda6-c288-dd11-92da-001cc4696bcc
Office: ORIGIN NEA
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 8
Previous Channel Indicators:
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 04 mar 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2829763
Secure: OPEN
Status: NATIVE
Subject: DEPARTMENT PRESS BRIEFING - APRIL 7
TAGS: PFOR, SOPN, XF
To: AMMAN BEIRUT MULTIPLE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/a236bda6-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014